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1645

PATENT

#9  
6/20/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-017-B)

In re Application of:

Ades, et al.

Serial No.: 09/600,057

Filed: October 5, 2000

For: Recombinant Lipidated PsaA Protein,  
Methods of Preparation and Use

Group Art Unit: 1645

Examiner: R. P. Swartz

Confirmation No.: 7894

TRANSMITTAL LETTER

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Commissioner for Patents  
Washington, D.C. 20231

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TECH CENTER 1600/2900

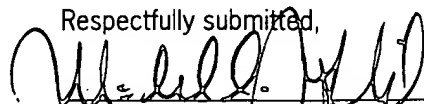
Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) stamped return receipt postcard;
  - b) Request for Substitute Papers;
  - c) photocopy of Transmittal Letter dated April 16, 2002;
  - d) photocopy of Notice to Comply;
  - e) photocopy of Submission of Sequence Listing dated April 16, 2002;
  - f) photocopy of Sequence Listing;
  - g) disk recorded May 16, 2002 containing Sequence Listing as recorded April 12, 2002; and
  - h) return receipt postcard.
2. With respect to fees:
  - a) A fee is not required at this time.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on May 16, 2002.

Date: May 16, 2002

Respectfully submitted,

  
Michael S. Greenfield  
Registration No. 37,142



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/600,057	10/05/2000	Ades, Edwin	99,017-B

Mcdonnell Boehnen & Berghoff  
 300 South Wacker Drive  
 Chicago IL 60606

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Title: Recombinant lipidated psaa protein, methods of preparation and use

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Date Mailed:05/03/2002

## Request for Substitute Papers

The papers filed on 04/29/02 and CD's (certificate of mailing dated 04/12/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated 703-746-9195.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. A copy of this notice should be included with the reply.

-----  
 The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Michael S. Greenfield Registration No.: 37,142

Signature: Michael S. Greenfield Date: 5-16-02



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Hon. Commissioner of  
Patents and Trademarks

S/N: 09/600,057

Atty MSG/de

Re: Applicant - Ades, et al.

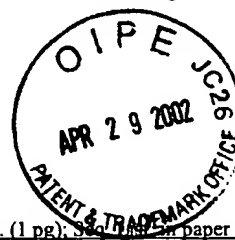
Case No.: 99-017-B

Recombinant Lipidated PsaA Protein, Methods of Preparation and Use

Sir:

Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter (1 pg)
- ☐ Specification ( sheets including claims)
- ☐ Drawings ( sheets)
- ☐ Signed Declaration (3 pp)
- ☐ Trademark appln., drawing and 5 specimens
- ☐ Filing Fee Check
- ☐ Assignment
- ☒ Other copy of Not. to Comply (1 pg); Sub. of Seq. List. (1 pg); Seq. List. on paper and disk forms



Fee Enclosed  
Mailed 04/16/02  
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Respectfully,  
McDonnell Boehnen Hulbert & Berghoff  
Attorney for Applicant

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Application No. 09/600057

1.

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CAR §1.821 - §1.825 for the following reasons(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CAR §1.821 - §1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990, and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CAR §1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CAR §1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CAR §1.822 and/or §1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing".
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CAR §1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CAR §1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as were as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CAR §1.821(e) or §1.821(f) or §1.821(g) or §1.825(b) or §1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

For Rules Interpretation, call (703) 308-1123  
For CRF Submission help, call (703)308-4212 =  
For Patentin Software help, call (703) 557-0400

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE.**



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Case No. 99,017-B)

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In the Application of:

Ades et al.

Serial No.: 09/600,057

Filing Date: July 10, 2000

For: Recombinant Lipidated PsaA Protein,  
Methods of Preparation and Use

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

SUBMISSION OF SEQUENCE LISTING

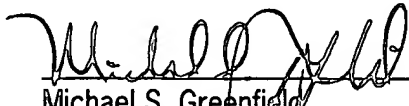
BOX SEQUENCE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. 1.821-1.825, enclosed is a copy of the Sequence Listing on paper and in computer readable format. Both forms are the same and neither contains new subject matter.

Respectfully submitted,

Date: April 16, 2002

  
Michael S. Greenfield  
Registration No. 37/142

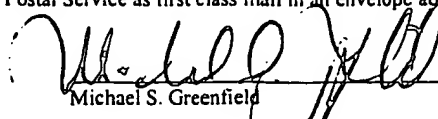
Telephone: 312-913-0001  
Facsimile: 312-913-0002

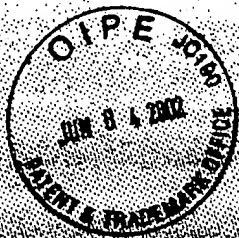
McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive, 32<sup>nd</sup> Floor  
Chicago, IL 60606

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on April 16, 2002.

Date: April 16, 2002

  
Michael S. Greenfield



Hon. Commissioner of  
Patents and Trademarks

S/N: 09/600,057

Atty MSG/de

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Case No.: 99-017-B

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Respectfully,  
McDonnell Boehnen Hulbert & Berghoff  
Attorney for Applicant

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